

INFORMATION BULLETIN

Members Called to Active Military Duty

April 2003

TRS members called to active duty with the military continue to receive compensation from their school district and TRS membership credit.

This bulletin summarizes the law, explains how members receive credit, and how employers should report this service to TRS.

TRS-covered employees called to active military duty

The two following laws guarantee service and earnings credit when members are called to active duty. Since January 1, 2002, neither members or their employers have been required to pay TRS or THIS Fund contributions for the time period members are on active duty.

Section 5/10-20.7b of the Illinois School Code and Public Employees Armed Services Act

Section 5/10-20.7b of the Illinois School Code states *"Active military service. Any certificated or non-certificated employee of a school board who is a member of any reserve component of the United States Armed Services, including the Illinois National Guard, and who is mobilized to active duty on or after August 1, 1990 as a result of an order of the President of the United States, shall for each pay period beginning on or after August 1, 1990 continue to receive the same regular compensation that he receives or was receiving as an employee of the school board at the time he is or was so mobilized to active military duty, plus any health insurance and*

other benefits he is or was receiving or accruing at that time, minus the amount of his base pay for military service, for the duration of his active military service."

The Public Employee Armed Services Act states in relevant part, *"Protected persons. Any member of the Illinois National Guard or any member of any branch of the Armed Forces Reserve who is placed on active duty status on or after January 1, 1990... shall have all rights and benefits set forth in Section 5 protected and preserved for the duration of the emergency that led to his or her being called to active duty status until his or her return to public employment as though he or she were a public employee during the entire period."*

Reporting example

The following example illustrates how the member should be reported on the Employer's Annual Report of Earnings form and the calculation of contributions due to TRS.

Teacher A missed 20 days of school during the month her reserve unit was activated. Her annual salary rate was \$40,000. The normal school term was 180 days. Her daily rate was \$222.22 (\$40,000 / 180). She remained on the district's payroll and was paid her full contract. She also received military pay of \$3,000 (\$150 per day) that she reimbursed to the district.

(over)



Contributions are **not** due on any of her reported earnings while she was on active military duty.

The following example shows how she should be reported on the annual report:

Number of days in the employment agreement:	180
Number of days paid	180
Annual salary rate	\$40,000.00
Creditable earnings	\$40,000.00
9% Contributions	
$[\$40,000 - (\$222.22 \times 20 \text{ days})] \times 9\%$	\$3,200.00
THIS Fund:	
Member contributions	
$[\$40,000 - (\$222.22 \times 20 \text{ days})] \times .65\%$	\$231.11
Employer contributions	
$[\$40,000 - (\$222.22 \times 20 \text{ days})] \times .40\%$	\$142.22
Employer Contribution:	
$[\$40,000 - (\$222.22 \times 20 \text{ days})] \times .18\%$	\$64.00

In addition to reporting the members on the Employer's Annual Report of Earnings, the employer must list all members that have been called to active military duty on the Retirement Contribution Compliance Questionnaire. On the questionnaire, the employer will need to include the members' names, Social Security numbers, dates in active military duty and total number of school days missed due to active military duty.

Questions

If members have any questions, they may call Member Services at (800) 877-7896. If employers have questions, they may call Employer Services at (888) 877-0890.